

AGN. NO. _____

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

August 3, 2010

Relates to Item #16

The Director of Public Works is asking the Board of Supervisors for delegated authority to accept the dedication of sewers that were constructed in conjunction with non-subdivision development projects. Given that these dedications occur after the sewers are already built, and that the decision to accept the sewers is of an administrative nature, this delegation of authority does not present a significant risk to the environment or a loss of the Board of Supervisor's policy discretion.

However, the initial decision to construct a major new sewer or water line in a rural or relatively environmentally sensitive area should be subject to careful environmental scrutiny. These types of projects are sometimes not fully studied because they are either viewed in isolation due to a lack of coordination between Departments or Agencies, or because the project is associated with a ministerial development that is not subject to CEQA. Unfortunately, these major water or sewer lines can stretch for thousands of feet, thereby causing major disturbances by virtue of their own construction; and, they may also facilitate increased growth in what would otherwise be highly rural or pristine natural environments.

MOTION

RIDLEY-THOMAS _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

MOLINA _____

Construction of a single-family home is frequently exempt from CEQA requirements. It is worth noting, however, that the largest of these new lines that have heretofore escaped adequate environmental review have often not been associated with one single family home. Instead, they have usually been associated with clusters of proposed new single-family homes that are being built in some degree of coordination with one another. In short, these major infrastructure projects in sensitive environmental areas, and the development projects they facilitate, are worthy of enhanced environmental scrutiny.

I, THEREFORE, MOVE that the Board of Supervisors instruct the Chief Executive Officer, in conjunction with the Directors of Regional Planning and Public Works and County Counsel, to report back within 45 days regarding 1) what mechanisms are currently in place to ensure that the initial decision to build, or have a development rely upon, new or dramatically extended sewer and/or water systems can be fully reviewed for any potential environmental impacts, and, 2) recommended changes that would ensure that the County has the maximum discretion to consider those impacts before such development projects, including any related major sewer and/or water system improvements, are approved.

BS S:\Motions\2010\Sewers CEQA